

# **Exhibit 18**

# YEMEN 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Yemen is a republic with a constitution that provides for a president, a parliament, and an independent judiciary, but control of the country during the year was split among three entities: the Iran-backed Ansar Allah movement (also sometimes known colloquially as the Houthis), the internationally recognized government of Yemen, and the United Arab Emirates-backed Southern Transitional Council. The last presidential election occurred in 2012, when Abd Rabbuh Mansour Hadi won a two-year mandate as president.

The primary state security and intelligence-gathering entities of the internationally recognized government of Yemen are the Political Security Organization and the National Security Bureau. By law both organizations report first to the interior minister and then to the president. The Criminal Investigation Division, an arm of the Ministry of Interior that conducts most criminal investigations and arrests, the paramilitary Special Security Forces, and the counterterrorism unit report to the interior minister. The Ministry of Defense supervised units to quell domestic unrest. Competing tribal, party, and sectarian influences reduced the exercise of governance in many areas. Houthi forces controlled most of the residual national security entities in sections of the north and other former state institutions. The government of Yemen staffed national security entities in areas under its control, although large areas under nominal government of Yemen control were effectively controlled by tribal leaders and local military commanders. The Southern Transitional Council had physical control of security in large areas of the south, including the government's temporary capital of Aden. Civilian authorities did not maintain effective control over security forces. There were credible reports that members of security forces on all sides committed abuses.

In 2014 Houthi forces aligned with forces loyal to former president Ali Abdullah Saleh occupied the capital, Sana'a, and ignited a civil conflict that continued during the year. After President Hadi fled to Aden and then Saudi Arabia, he requested international assistance to restore the government, and in 2015, Saudi Arabia launched Operation "Decisive Storm." Following fighting in 2019 that

resulted in the government's departure from its temporary capital, Saudi Arabia helped broker a power-sharing deal, dubbed the "Riyadh Agreement," between the government of Yemen and the secessionist Southern Transitional Council that led to the formation of a new coalition government in December 2020.

Significant human rights issues included credible reports of: unlawful or arbitrary killings by all parties; forced disappearances by all parties; torture and cases of cruel, inhuman, or degrading treatment or punishment by all parties; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners and detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including widespread civilian harm, and unlawful recruitment or use of child soldiers by all parties to the conflict, particularly the Houthis; serious restrictions on freedom of expression and media, including violence, threats of violence, or unjustified arrests or prosecutions against journalists, censorship, and the existence of criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; severe restrictions of religious freedom; restrictions on freedom of movement; inability of citizens to choose their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on international human rights organizations; lack of investigation of and accountability for gender-based violence, including but not limited to domestic, intimate partner violence or both, as well as sexual violence; child, early and forced marriage and female genital mutilation. There were significant barriers to accessing reproductive health; existence of laws criminalizing consensual same-sex sexual conduct between adults; and existence of the worst forms of child labor.

Impunity for security officials remained a problem, in part because the government exercised limited authority and failed to investigate and prosecute abuse and corruption. Houthi control over former government institutions in the north severely reduced the government's capacity to conduct investigations. The government of Yemen's prime minister reactivated anticorruption entities and launched audits of state revenues and the central bank. Separately, the Houthis used former anticorruption authorities to stifle dissent and repress their political

opponents.

Nongovernmental actors, including the Houthis, tribal militias, the Southern Transitional Council, and terrorist groups (including al-Qa’ida in the Arabian Peninsula and a local branch of ISIS), committed significant abuses with impunity. Saudi-led coalition air strikes resulted in civilian casualties and damage to infrastructure. (See the *Country Reports on Human Rights Practices* for Saudi Arabia, the United Arab Emirates, and Iran.)

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports of government, progovernment, rebel, terrorist, and foreign forces committing arbitrary or unlawful killings (see section 1.g.).

In August the Yemen-based nongovernmental organization (NGO) Abductees’ Mothers Association stated it documented the torture and death of 40 abductees and detainees in Houthi detention facilities since 2014. Media reported other sources citing as many as 350 persons died from torture and “deliberate medical negligence” in Houthi prisons since 2014.

On August 28, a Yemeni human rights defense lawyer and the Geneva-based SAM Organization for Rights and Liberties separately reported that the Houthi-controlled “Specialized Criminal Court” in Sana’a sentenced 11 defendants to death for “aiding the enemy” and “communicating with a hostile foreign country.” The prosecution did not adhere to minimal fair trial procedures, including by pressuring some of the accused to not request legal representation. No further information was available on their cases.

On September 19, the Houthis executed nine individuals, including one juvenile, after an unfair trial for an unsubstantiated charge of involvement in the killing of a Houthi leader in a 2018 air strike.

Media sources in November reported on the death of Houthi detainee Saleh Ali Makaber after psychological and physical torture and denial of medical treatment.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law criminalizes rape, but it does not criminalize spousal rape. The punishment for rape is imprisonment for up to 25 years. The government did not enforce the law effectively. By law authorities may prosecute rape survivors on charges of fornication if authorities do not charge a perpetrator with rape. According to law, without the perpetrator's confession, the rape survivor must provide four male witnesses to the crime. There were no reliable rape prosecution statistics, and the number of rape cases was unknown. Human rights NGOs stated their view that underreporting of sexual and gender-based violence cases was common.

The GEE concluded that individuals affiliated with the government of Yemen, progovernment forces, and the Houthis committed rape. The Office of the Special Representative of the UN Secretary-General on Sexual Violence reported in March that increased conflict heightened the risk of sexual violence, including against migrants in border areas. The POE's report during the year documented sexual violence against two internally displaced women in Aden committed by members of the Security Belt Forces, and cases of sexual violence in detention settings committed by the Houthis. On February 25, the UN Security Council adopted resolution 2564 (2021), sanctioning Houthi leader Sultan Zabin for his role in weaponizing sexual violence. The special representative on sexual violence previously assessed that the Houthis systematically targeted female political leaders and activists since 2017. The GEE previously reported that in Houthi-controlled areas, women were threatened with sexual violence, as well as prostitution charges, physical harm, and arbitrary and secret detention if they spoke out against the Houthis. Mwatana during the year documented nine rape cases and one attempted case of rape of which two cases were attributed to the government, six to the Houthis, and two to the Southern Transitional Council. Among the survivors were four girls, five boys, and a woman.

Muhamasheen women were particularly vulnerable to rape and other abuse because of the general impunity for attackers due to the women's low-caste status (see section 6, Systematic Racial or Ethnic Violence and Discrimination).

The law states that authorities should execute a man if convicted of killing a woman. The law, however, allows leniency for persons guilty of committing an “honor” killing or violently assaulting or killing a woman for perceived “immodest” or “defiant” behavior. The law does not address other types of gender-based abuse, such as forced isolation, imprisonment, and early and forced marriage.

The law provides women with protection against domestic violence, except spousal rape, under the general rubric of protecting persons against violence, but authorities did not enforce this provision effectively. Survivors rarely reported domestic abuse to police and criminal proceedings in cases of domestic abuse were rare. The most recent UN Population Fund (UNFPA) study reported that 46 percent of gender-based violence incidents in 2018 were physical assault, 22 percent psychological abuse, 17 percent denial of resources, 11 percent child marriage, 3 percent sexual abuse, and 1 percent rape. Oxfam reported in February that women and girls do not report violence due to fear of being killed or exposed to further violence. Citing a September 2020 baseline study published in February, Oxfam reported that 71 percent of respondents justified male violence against wives, women, and girls for violating social norms. UNFPA estimated that 6.1 million women and girls needed domestic violence services.

**Female Genital Mutilation/Cutting (FGM/C):** The law does not prohibit FGM/C, although a 2001 ministerial directive banned the practice in government institutions and medical facilities, according to HRW. According to UNFPA, the most recent data from 2013 indicated 19 percent of women ages 15 to 49 have undergone FGM/C, with prevalence rates as high as 80 percent and 85 percent in al-Mahrah and Hadramawt, respectively. FGM/C was less common among young girls ages 15 to 19 than among women ages 45 to 49.

**Sexual Harassment:** No laws specifically prohibit sexual harassment, although the penal code criminalizes “shameful” or “immoral” acts. Authorities rarely enforced the law, however; sexual harassment was a major problem for women.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

whom the Houthis arbitrarily detained in 2016, denying her fair trial rights and outside medical treatment, keeping her in solitary confinement, and torturing her. As of June 30, her appeal to the Supreme Court was pending. The GEE noted that the “morality” charges against Omeissy represented a “weaponization of gender” intended to “suppress the political participation of women and enable violations against women and girls.”

On February 20, in the Shamlan neighborhood of Sana'a, armed individuals detained actress and model Entesar Abdul Rahman Mahyoub al-Hammadi and a colleague on charges of “prostitution.” Human rights observers contend the women were targeted because of their work in the fashion industry. They were taken to a local police station and then transferred to the Houthi-controlled “Criminal Investigation Department” in Sana'a governorate, where they were reportedly tortured and kept for 10 days while their families were unaware of their whereabouts. According to the GEE, the Houthi-controlled “specialized criminal prosecution service” declined to prosecute case due to lack of evidence and referred it to the public prosecution of West Sana'a. The latter ordered a 45-day extension of the women’s detention and their transfer to the Central Prison in Sana'a. Amnesty International in May called for the Houthis to halt plans to subject al-Hammadi to forced virginity testing, which it described as a form of sexual violence and torture under international law. As of June 30, al-Hammadi’s lawyer, who received threats, was unable to access her case file. On November 8, she was “convicted” of crimes including “prostitution” and “drug use” and “sentenced” to five years in prison.

## **Systematic Racial or Ethnic Violence and Discrimination**

Although racial discrimination is illegal, some groups, such as the muhamasheen community and the *muwaladeen* (citizens born to foreign parents), faced social and institutional discrimination based on race, ethnicity, and social status. The muhamasheen, who traditionally provided low-prestige services such as street sweeping, generally lived in poverty and endured persistent societal discrimination. Muhamasheen women were particularly vulnerable to rape and other abuse because of the general impunity for attackers due to the women’s low-caste status. The GEE reported the muhamasheen continued to be targets of extreme sexual violence (see section 6, Rape and Domestic Violence).

Media reports referencing muhamasheen activists noted that while social castes and slavery were abolished in the 1960s, tribal justice systems reinforced historical patterns of discrimination. There have been no further media reports on slavery since 2015, when the Yemeni Wethaq Foundation for Civil Orientation reported that slavery remained commonplace in some districts of Hajjah governorate and Hudaydah, with a total of 190 cases in 2012. Walk Free estimated in 2018 there were 85,000 victims of modern slavery in the country, or 3.1 percent of the population, but that due to the impossibility of conducting surveys under conflict, data likely underestimated the problem. This broad category included forced labor and debt bondage, human trafficking, and forced and early marriage.

During the year the Houthis reportedly targeted muhamasheen communities to recruit fighters. In July, Houthis killed four muhamasheen and injured another in Amran province after they refused to join Houthi fighters on the front lines.

## Children

**Birth Registration:** Citizenship derives from a child's parents. A child of a citizen father is a citizen. Women may confer citizenship on children born of a foreign-born father if the child is born in the country. If the child is not born in the country, in rare cases the Ministry of Interior may permit a woman to transmit citizenship to the child if the father dies or abandons the child.

There is no universal birth registration, and many parents, especially in rural areas, never registered children or registered them several years after birth. The requirement that children have birth certificates to register for school was not universally enforced, and there were no reports of authorities denying educational or health-care services and benefits to children based on lack of registration. The lack of birth registration reportedly led courts to sentence juveniles as adults, including for crimes eligible for death sentences.

**Education:** The law provides for universal, compulsory, and tuition-free education from ages six to 15. Public schooling was free to children through the secondary school level, but HRW reported that many children, especially girls, did not have easy access to education.

According to an October OCHA report, the number of out-of-school children more